

Hand-Delivered

UNITED STATES DISTRICT COURT
For the
Western District of North Carolina
____ 4 ____ Division

FILED
CHARLOTTE, NC

APR 15 2022

US DISTRICT COURT
WESTERN DISTRICT OF NC

Shantal Tolbert
Plaintiff

vs.

Civil Action No.
3:22-cv-134

Allstate Financial & Agency,
Doe A through E; Inclusive as follows

Defendants

Complaint about a Civil Case Alleging Breach of Contract

III.

STATEMENT OF CLAIMS

A. BREACH OF CONTRACT

1. Plaintiff Shantal Tolbert and Defendants A – E – Allstates Agency and Allstate Financial entered into a contractual agreement on May 1, 2019, to promote the retirement market within an assigned territory. That entailed the formation of partnerships with multiple agency owners within the region. Allstate has over one hundred agencies in North Carolina, out of those agencies within the region, Plaintiff was to meet with a selection to ascertain a fit to maximize the marketability and profitability of retirement services within the agency by coaching agency staff to scale utilizing the benefits of an Exclusive Financial Representative. In return, Plaintiff maintained full accessibility of agency portfolio of businesses for marketability.
2. On or about February 2019, Plaintiff met with Defendant A - sales leader for the territory in Charlotte, North Carolina to learn about the role of an Exclusive Financial Representative with Allstate.

3. The process took three meetings to include a meeting with Defendant B – field sales leader to map out the possible agencies for partnership formation within the territory.
4. Plaintiff requested a matrix of the production level of each agency from Defendant B.
5. There was a promise of deliverables within a couple of days. That never transpired until two months later, during training in Northbrook, IL, partial access from Defendant B.
6. Plaintiff attended training in Northbrook from April 26 – May 6, 2019. Plaintiff arrived in Charlotte, NC scheduled to meet Defendant B and Defendant A, to establish a partnership agreement with the agency owners.
7. There became a problem with coordination of schedules thereafter. There was resistance in scheduled meeting attendance for both Defendant A & Defendant B to meet with Plaintiff.
8. There was a lag in the agency partnership agreement established as well as the agency set-up.
9. The set-up required one principal office for the Plaintiff, to operate as her office space. The arrangement facilitated mail delivery and compliance check by the Allstate audit committee as the primary office per regulatory requirement.
10. Plaintiff, ordered stationery through the Allstate corporate store, but could not confirm print of the business cards due to contact information not available within their database two-four weeks post-contract agreement.
11. Met with the audit committee, Defendant D, to set up my principal office at the chosen agency initiated prior to my contract agreement.
12. Within a week of the audit set-up, marketing materials arrived at the principal's office. Once the boxes arrived from Allstate head office, the agency owner had a problem with the boxes of marketing materials being at his agency.
13. Plaintiff signed a partnership agreement on a Thursday with Defendant C, Defendant C went on a corporate retreat accompanied over the weekend which Defendant B was in attendance.

14. The next week, Plaintiff's scheduled appointment with Defendant C's office change. Notification to Plaintiff's Original contractual agreement was due to prior adverse experience with another Exclusive Financial Representative.

15. The change to Defendant C's agreement was to remove Plaintiff from sharing in revenue stream.

16. Later, each agency assigned preferred more coaching as they opt for more blanket polices to their clients.

17. Three – Four months later there was no urgency to provide the requested tools to optimize the market segment assigned, and no urgency to provide a new market segment.

18. Plaintiff kept the regional sales manager, Defendant F informed of the lack of progress with the market segment and received no improvement from said Defendant.

B. UNFAIR AND DECEPTIVE TRADE PRACTICES ACT (UDTPA)

20. The actions of Allstate and the management fell under unfair and deceptive trade practices, as these behaviors were counter-intuitive in meeting the sales goal established with the contract agreement. There was intentionality on the part of the agency owners instructed to "cherry-pick" for "low-hanging fruit" to prevent the quota materialization.

21. There agency owners had more interest in Plaintiff's personal life and knew information not shared to include extended family's location.

22. There was a third-party participation and interference between the agency owners and Plaintiff on how business was to be conducted.

23. Defendant misrepresented the role and that of the agency owners thereby breached their obligation of the contract.

22. The unfair practice caused personal injury as well as economic injury to Plaintiff.

23. The autonomy of the role was willfully infringed upon by upper management to limit profitability opposite to oral & written contract agreement.
24. The autonomy of the role was willfully infringed upon by upper management to limit profitability opposed to oral & written acceptance.
25. Refusal to make vendors available in a timely manner for Plaintiff to conduct business.

C. TORTIOUS INTERFERENCE WITH BUSINESS

26. Allstate duty to fulfill the contractual obligation was controlled by a third party.
27. Plaintiff had not known before the contractual agreement as that information was withheld from Plaintiff.
28. Plaintiff was not aware of the information, that information became evident into the third month of contract formation.
29. This practice has continued to ruin the plaintiff's business to cause economic loss.

PRAY FOR RELIEF

WHEREFORE, Plaintiff prays for the following relief:

- A. On his first claim, a judgment for compensatory damages & punitive damages in an amount to be determined at trial (**or settlement negotiated outside of court**), plus reasonable attorney fees pursuant to 42 U.S.C. § 1988, against Allstate.
- B. On the second claim, a judgment for compensatory damages, punitive damages & treble damages.
- C. All other relief this Court may deem just and equitable

Date of signing: ~~Shantel Tolber~~ 4/15/2002

Signature of Plaintiff: _____

Printed Name of Plaintiff: Shantel Tolber

Defendant No. 1

Name	Mrs. Willye Mai King
Job or Title (<i>if known</i>)	
Street Address	36 Goodwinn Dr.
City and County	North Brunswick
State and Zip Code	New Jersey
Telephone Number	
E-mail Address (<i>if known</i>)	willyeking@gmail.com

Defendant No. 2

Name	Mark Holder
Job or Title (<i>if known</i>)	Doctor
Street Address	7550 France Ave. S
City and County	Minneapolis
State and Zip Code	Minnesota
Telephone Number	612-517-7716
E-mail Address (<i>if known</i>)	

Defendant No. 3

Name	Stephen A. Tolbert
Job or Title (<i>if known</i>)	Financial Advisor
Street Address	39 Brookside Rd,
City and County	West Orange
State and Zip Code	New Jersey, 07052-4804
Telephone Number	
E-mail Address (<i>if known</i>)	

Defendant No. 4

Name	Yende Anderson
Job or Title (<i>if known</i>)	Attorney
Street Address	585 medina Rd.
City and County	Wayzata, Hennepin
State and Zip Code	MN, 55391
Telephone Number	
E-mail Address (<i>if known</i>)	

Defendant No. 1

Name	Liberian Community Association
Job or Title (<i>if known</i>)	
Street Address	10151 Stewarton Ln.
City and County	Charlotte,
State and Zip Code	North Carolina 28269
Telephone Number	
E-mail Address (<i>if known</i>)	

Defendant No. 2

Name	Lesa Givens
Job or Title (<i>if known</i>)	Owner
Street Address	904 Clifton Dr
City and County	Williamstown
State and Zip Code	New Jersey 08094
Telephone Number	
E-mail Address (<i>if known</i>)	iadschoolassoiationusa@gmail.com

Defendant No. 3

Name	Sam Massaquoi
Job or Title (<i>if known</i>)	Vp Technology , JP Morgan
Street Address	157 Lasselle Ave
City and County	Buffalo
State and Zip Code	New York 14222
Telephone Number	
E-mail Address (<i>if known</i>)	

Defendant No. 4

Name	William R. Tolbert III
Job or Title (<i>if known</i>)	Pastor
Street Address	2339 Authur Ford Ct. # 1
City and County	Louisville
State and Zip Code	Kentucky 40217
Telephone Number	
E-mail Address (<i>if known</i>)	

Defendant No. 1

Name	Michelle Williams Hellstern
Job or Title (<i>if known</i>)	
Street Address	112 Waterline Ct
City and County	Annapolis
State and Zip Code	MD 21401
Telephone Number	813-251-4925
E-mail Address (<i>if known</i>)	

Defendant No. 2

Name	Joy Reid
Job or Title (<i>if known</i>)	MSNBC
Street Address	30 Rockefeller Plz
City and County	New York
State and Zip Code	New York 10112
Telephone Number	
E-mail Address (<i>if known</i>)	

Defendant No. 3

Name	Shiela Benjamin Morris
Job or Title (<i>if known</i>)	
Street Address	120 Drennon Dr
City and County	Fayetteville
State and Zip Code	Ga 30215
Telephone Number	
E-mail Address (<i>if known</i>)	

Defendant No. 4

Name	Carnley Norman
Job or Title (<i>if known</i>)	
Street Address	1101 Hamlin Rd.
City and County	Durham
State and Zip Code	NC 27704
Telephone Number	919- 479-9898
E-mail Address (<i>if known</i>)	

Defendant No. 1

Name	Richeleu Dennis
Job or Title (<i>if known</i>)	Owner/ Uniliver
Street Address	800 Sylvan Ave
City and County	Englewood Cliffs
State and Zip Code	New Jersey 07632
Telephone Number	
E-mail Address (<i>if known</i>)	

Defendant No. 2

Name	Joseph Tolbert
Job or Title (<i>if known</i>)	
Street Address	16484 A.E. Mullinx Rd
City and County	Woodbine
State and Zip Code	MD 21797
Telephone Number	
E-mail Address (<i>if known</i>)	

Defendant No. 3

Name	Lorna Campbell Clark
Job or Title (<i>if known</i>)	
Street Address	10530 Page Ave
City and County	Fairfax,
State and Zip Code	VA
Telephone Number	703-246-3460
E-mail Address (<i>if known</i>)	

Defendant No. 4

Name	Christopher Harris
Job or Title (<i>if known</i>)	
Street Address	14 Palmer Ct
City and County	Glassboro,
State and Zip Code	Nj 08028
Telephone Number	
E-mail Address (<i>if known</i>)	

Defendant No. 1

Name	Estella Patterson
Job or Title (<i>if known</i>)	Chief of Police
Street Address	222 W Hargett St
City and County	Raleigh,
State and Zip Code	North Carolina, 27601
Telephone Number	(919) 996-3050
E-mail Address (<i>if known</i>)	

Defendant No. 2

Name	Alpha Phi Alpha
Job or Title (<i>if known</i>)	
Street Address	5639 Beatties Ford Rd
City and County	Charlotte,
State and Zip Code	North Carolina
Telephone Number	410.554.0040
E-mail Address (<i>if known</i>)	

Defendant No. 3

Name	Siafa Tolbert
Job or Title (<i>if known</i>)	Security
Street Address	18755 Sabal St
City and County	Orlando
State and Zip Code	FL 32833
Telephone Number	
E-mail Address (<i>if known</i>)	

Defendant No. 4

Name	Lucretia Matthews
Job or Title (<i>if known</i>)	
Street Address	3400 Oscar Dr.
City and County	Matthews
State and Zip Code	North Carolina
Telephone Number	
E-mail Address (<i>if known</i>)	
